

**EXHIBIT A**

**Subject:** Re: LULAC v. Abbott (Redistricting): Deposition Subpoena for Representative Ryan Guillen  
**Date:** Wednesday, May 11, 2022 at 9:54:17 AM Central Daylight Time  
**From:** Taylor Meehan  
**To:** Freeman, Daniel (CRT)  
**CC:** Mellett, Timothy F (CRT), Sitton, Jaye (CRT), Rupp, Michelle (CRT), Anderson, Jacki (CRT), Lott, Jasmin (CRT), Berlin, Holly (CRT), Nina Perales, SMcCaffity@texttrial.com, jgonzalez@malc.org, mark@markgaber.com, chad@brazilanddunn.com, noor@scsj.org, allison@southerncoalition.org, akhanna@elias.law, dfox@elias.law, robert@notzonlaw.com, erosenberg@lawyerscommittee.org, garybledsoe@sbcglobal.net, nas@naslegal.com, Will Thompson, martin.golando@gmail.com, richscot1@hotmail.com, Samantha Serna, Adam Mortara, Frank Chang, Jeff Hetzel, Patrick Sweeten, Jack DiSorbo, Eric Hudson, Sitton, Jaye (CRT), Rupp, Michelle (CRT), Anderson, Jacki (CRT), Lott, Jasmin (CRT), Berlin, Holly (CRT)

Dan,

We stand by our position that we ought to navigate the timing and location of the depositions once the Court rules. On timing, it is our understanding that these are the first three depositions the United States noticed; discovery does not close until July 15, 2022, or later by joint agreement.

Does it remain your position that the depositions must proceed in May, even if that means mooted issues currently before the Court? That would be troubling in any case, but especially so when the subpoenaed parties are third parties who have filed a motion to quash.

Reserving all rights and without waiving any arguments about the propriety of proceeding or whether a third party is required to appear in such circumstances, let's at least get the May 19 date off the calendar given the briefing schedule, making the earliest possible date May 24. But again, I reiterate that we expect and hope that the parties will be able to work amicably to discuss timing and location, if necessary, once we have a ruling from the Court.

Warm regards,  
Taylor

Taylor Meehan  
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**From:** "Freeman, Daniel (CRT)" <Daniel.Freeman@usdoj.gov>  
**Date:** Tuesday, May 10, 2022 at 2:16 PM  
**To:** Taylor Meehan <taylor@consovoymccarthy.com>  
**Cc:** "Mellett, Timothy F (CRT)" <Timothy.F.Mellett@usdoj.gov>, "Sitton, Jaye (CRT)" <Jaye.Sitton@usdoj.gov>, "Rupp, Michelle (CRT)" <Michelle.Rupp@usdoj.gov>, "Anderson, Jacki (CRT)" <Jacki.Anderson@usdoj.gov>, "Lott, Jasmin (CRT)" <Jasmin.Lott@usdoj.gov>, "Berlin, Holly (CRT)" <Holly.Berlin@usdoj.gov>, Nina Perales <nperales@MALDEF.org>, "SMcCaffity@texttrial.com"

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**Subject:** RE: LULAC v. Abbott (Redistricting): Deposition Subpoena for Representative Ryan Guillen

Hi Taylor,

Prior to service of the referenced subpoenas, the Office of the Texas Attorney General conveyed to the United States that it represents Representative Guillen, Representative Landgraf, and Representative Lujan and that it would waive formal service of subpoenas.

As for the timing of the depositions, you have requested an administrative stay, alongside your request to quash the subpoenas. Absent a grant of that stay, Representative Guillen, Representative Landgraf, and Representative Lujan must sit for the depositions for which the United States has issued subpoenas. Under the expedited schedule, we are unable to agree to substantial extensions absent a stay order. However, we would be happy to move Representative Guillen's deposition to May 24 or May 26 (in Austin), if he would prefer one of those dates.

I will be sure to include you and Adam in future communications regarding the legislator subpoenas.

Regards,

Dan

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**From:** Taylor Meehan <taylor@consovoymccarthy.com>

**Sent:** Monday, May 9, 2022 7:11 PM

**To:** Freeman, Daniel (CRT) <Daniel.Freeman@usdoj.gov>

**Cc:** Mellett, Timothy F (CRT) <Timothy.F.Mellett@usdoj.gov>; Sitton, Jaye (CRT) <Jaye.Sitton@usdoj.gov>; Rupp, Michelle (CRT) <Michelle.Rupp@usdoj.gov>; Anderson, Jacki (CRT) <Jacki.Anderson@usdoj.gov>; Lott, Jasmin (CRT) <Jasmin.Lott@usdoj.gov>; Berlin, Holly (CRT) <Holly.Berlin@usdoj.gov>; Nina Perales <nperales@MALDEF.org>; SMcCaffity@texttrial.com; jgonzalez@malc.org; mark@markgaber.com; chad@brazilanddunn.com; noor@scsj.org; allison@southerncoalition.org; akhanna@elias.law; dfox@elias.law; robert@notzonlaw.com; erosenberg@lawyerscommittee.org; garybledsoe@sbcglobal.net; nas@naslegal.com; Will Thompson <Will.Thompson@oag.texas.gov>; martin.golando@gmail.com; richscot1@hotmail.com; Samantha Serna <sserna@MALDEF.org>; Adam Mortara <mortara@lawfairllc.com>; Taylor Meehan <taylor@consovoymccarthy.com>; Frank Chang <frank@consovoymccarthy.com>; Jeff Hetzel <jhetzel@consovoymccarthy.com>; Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>; Jack DiSorbo <Jack.DiSorbo@oag.texas.gov>; Eric Hudson <Eric.Hudson@oag.texas.gov>

**Subject:** [EXTERNAL] Re: LULAC v. Abbott (Redistricting): Deposition Subpoena for Representative Ryan Guillen

Hi Dan,

On April 20, 2022, you emailed to OAG a third-party subpoena to depose Representative Guillen; subpoenas for Representatives Landgraf and Lujan were then emailed on May 3, 2022. During that time, counsel for the representatives made clear that it did not think deposing a sitting legislator was warranted and offered to discuss alternatives. On May 4, 2022, we moved to quash the subpoenas—which, even assuming the emails to OAG constituted proper service, was 14 days after the Guillen subpoena was served and 1 day after the Landgraf and Lujan subpoenas were served. *Cf.* Fed. R. Civ. P. 45(d)(2)(B).

We cannot understand why the United States would take a position that would effectively moot the consideration of the issues currently before the Court. Briefing will be complete soon. In light of the arguments before the Court, we're surprised that any party would deem it appropriate to press ahead with the deposition of a third-party legislator rather than await the Court's order and make scheduling arrangements thereafter.

We would gladly discuss timing and location of a deposition after the Court rules, if the depositions are to proceed in some manner. Surely, we can find some agreement on that score? Do you not agree that it's in the interest of all parties to await further direction from the Court?

Finally, we jointly represent the third-party legislators, as previously communicated, and I'll be central to any future scheduling discussions. Please include all counsel on our end copied here in future correspondence regarding these third parties.

Warm regards,  
Taylor

Taylor Meehan  
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**From:** "Freeman, Daniel (CRT)" <[Daniel.Freeman@usdoj.gov](mailto:Daniel.Freeman@usdoj.gov)>

**Date:** Monday, May 9, 2022 at 8:31 AM

**To:** Patrick Sweeten <[Patrick.Sweeten@oag.texas.gov](mailto:Patrick.Sweeten@oag.texas.gov)>, Eric Hudson <[Eric.Hudson@oag.texas.gov](mailto:Eric.Hudson@oag.texas.gov)>, Jack DiSorbo <[Jack.DiSorbo@oag.texas.gov](mailto:Jack.DiSorbo@oag.texas.gov)>, Will Thompson <[Will.Thompson@oag.texas.gov](mailto:Will.Thompson@oag.texas.gov)>

**Cc:** "Mellett, Timothy F (CRT)" <[Timothy.F.Mellett@usdoj.gov](mailto:Timothy.F.Mellett@usdoj.gov)>, "Sitton, Jaye (CRT)" <[Jaye.Sitton@usdoj.gov](mailto:Jaye.Sitton@usdoj.gov)>, "Rupp, Michelle (CRT)" <[Michelle.Rupp@usdoj.gov](mailto:Michelle.Rupp@usdoj.gov)>, "Anderson, Jacki (CRT)" <[Jacki.Anderson@usdoj.gov](mailto:Jacki.Anderson@usdoj.gov)>, "Lott, Jasmin (CRT)" <[Jasmin.Lott@usdoj.gov](mailto:Jasmin.Lott@usdoj.gov)>, "Berlin, Holly (CRT)" <[Holly.Berlin@usdoj.gov](mailto:Holly.Berlin@usdoj.gov)>, Nina Perales <[nperales@MALDEF.org](mailto:nperales@MALDEF.org)>, "[SMcCaffity@texttrial.com](mailto:SMcCaffity@texttrial.com)" <[SMcCaffity@texttrial.com](mailto:SMcCaffity@texttrial.com)>, "[jgonzalez@malc.org](mailto:jgonzalez@malc.org)" <[jgonzalez@malc.org](mailto:jgonzalez@malc.org)>, "[mark@markgaber.com](mailto:mark@markgaber.com)"

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**Subject:** RE: LULAC v. Abbott (Redistricting): Deposition Subpoena for Representative Ryan Guillen

Patrick,

I am writing to follow up on the deposition subpoena that the United States has issued to Representative Ryan Guillen.

Pursuant to procedures requested by the Office of the Texas Attorney General, the United States reached out on April 8 to indicate that we intend to depose Representative Ryan Guillen and to offer a range of proposed dates. You did not respond, and so we reached out again on April 15 to inquire regarding Representative Guillen's availability. At that time we indicated that if your office again failed to respond, we would issue a subpoena for May 19, at the Price Daniel Building in Austin. Once again you did not respond, and so we issued the subpoena and indicated that we remained willing to issue a revised subpoena based on Representative Guillen's availability.

More than two weeks after we issued a subpoena for the deposition of Representative Guillen, you moved to quash. As we notified your colleagues during our meet and confer, the United States opposes your motion, and we intend to file a brief to that effect this week.

We request that you confirm that Representative Guillen will comply with the subpoena and appear at the Price Daniel Building on May 19 in the event that the Court does not grant your motion or your requested stay, as we must make travel arrangements. We are also available on May 24 or May 26 (in Austin), if Representative Guillen would prefer one of those dates.

Thank you,

Dan

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**From:** Freeman, Daniel (CRT) <>

**Sent:** Wednesday, April 20, 2022 1:58 PM

**To:** Patrick Sweeten <[Patrick.Sweeten@oag.texas.gov](mailto:Patrick.Sweeten@oag.texas.gov)>; Eric Hudson <[Eric.Hudson@oag.texas.gov](mailto:Eric.Hudson@oag.texas.gov)>; Jeff White <[Jeff.White@oag.texas.gov](mailto:Jeff.White@oag.texas.gov)>; Jack DiSorbo <[Jack.DiSorbo@oag.texas.gov](mailto:Jack.DiSorbo@oag.texas.gov)>

**Cc:** Mellett, Timothy F (CRT) <[Timothy.F.Mellett@usdoj.gov](mailto:Timothy.F.Mellett@usdoj.gov)>; Sitton, Jaye (CRT) <[Jaye.Sitton@usdoj.gov](mailto:Jaye.Sitton@usdoj.gov)>; Rupp, Michelle (CRT) <[Michelle.Rupp@usdoj.gov](mailto:Michelle.Rupp@usdoj.gov)>; Anderson, Jacki (CRT) <[Jacki.Anderson@usdoj.gov](mailto:Jacki.Anderson@usdoj.gov)>; Lott, Jasmin (CRT) <[Jasmin.Lott@usdoj.gov](mailto:Jasmin.Lott@usdoj.gov)>; Berlin, Holly (CRT) <[Holly.Berlin@usdoj.gov](mailto:Holly.Berlin@usdoj.gov)>; Nina Perales <[nperales@MALDEF.org](mailto:nperales@MALDEF.org)>; [SMcCaffity@texttrial.com](mailto:SMcCaffity@texttrial.com); [jgonzalez@malc.org](mailto:jgonzalez@malc.org); [mark@markgaber.com](mailto:mark@markgaber.com); [chad@brazilanddunn.com](mailto:chad@brazilanddunn.com); [noon@scsj.org](mailto:noon@scsj.org); [allison@southerncoalition.org](mailto:allison@southerncoalition.org); [akhanna@elias.law](mailto:akhanna@elias.law); [dfox@elias.law](mailto:dfox@elias.law); [robert@notzonlaw.com](mailto:robert@notzonlaw.com); [erosenberg@lawyerscommittee.org](mailto:erosenberg@lawyerscommittee.org); [garybledsoe@sbcglobal.net](mailto:garybledsoe@sbcglobal.net); [nas@naslegal.com](mailto:nas@naslegal.com); [martin.golando@gmail.com](mailto:martin.golando@gmail.com); [richscot1@hotmail.com](mailto:richscot1@hotmail.com); Samantha Serna <[sserna@MALDEF.org](mailto:sserna@MALDEF.org)>

**Subject:** LULAC v. Abbott (Redistricting): Deposition Subpoena for Representative Ryan Guillen

Counsel:

Pursuant to procedures requested by the Office of the Texas Attorney General, the United States reached out on April 8 to indicate that we intend to depose Representative Ryan Guillen in relation to *LULAC v. Texas* and to offer a range of proposed dates. On April 15, we reached out again to inquire regarding Representative Guillen's availability. At that time we indicated that if your office failed to respond by close of business on Tuesday, April 19, we would issue a subpoena for May 19, at the Price Daniel Building in Austin.

A subpoena to take the deposition of Representative Guillen is attached.

I remain hopeful that your office will participate in future efforts to coordinate depositions in this matter. We remain willing to issue a revised subpoena in the event that Representative Guillen is unavailable on May 19 or would prefer to be deposed at an alternative location.

Thank you,

Dan Freeman

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